

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

LARRY PORTAL, FRANK  
MAIORANO, GRACY WEBERMAN,  
JAHN BRODWIN, DONALD J.  
NOONE II, MARTIN GOLDSTEIN,  
and DAVID METZMAN,

Plaintiffs,

v.

SETH LEVINE, *et al.*,

Defendants.

Civil Action No.

19-19611 (MCA) (LDW)

**ORDER**

**THIS MATTER** having been opened by the Court *sua sponte* due to the plaintiffs' prolonged dormancy in this case; and

**WHEREAS** at the time the complaint in this action was filed, the plaintiffs were represented by N. Ari Weisbrot, Esq. of the Law Office of N. Ari Weisbrot LLC; and

**WHEREAS** the Clerk of Court entered default against defendants on February 28, 2020; and

**WHEREAS** plaintiffs, through counsel, filed a Motion for Default Judgment against defendants on March 15, 2021, which was denied without prejudice by the Honorable Madeline Cox Arleo, U.S.D.J. on November 15, 2021 (ECF No. 73); and

**WHEREAS** the Court permitted plaintiffs to file a renewed Motion for Default Judgment accompanied by proof of damages on or before December 15, 2021 (ECF No. 73), but no renewed motion has been filed; and

**WHEREAS** the Court has since been informed that plaintiffs' counsel passed away unexpectedly, and attorney Beverly M. Barr has been appointed as Trustee for the Law Office of N. Ari Weisbrot LLC; and

**WHEREAS** the Court entered an Order dated January 31, 2022 directing the Trustee to enter an appearance on behalf of plaintiffs no later than February 11, 2022 (ECF No. 82); and

**WHEREAS** neither the Trustee nor substitute counsel has entered an appearance on behalf of plaintiffs since Mr. Weisbrot's death; therefore,

**IT IS** on this day, June 23, 2022, **ORDERED** that:

1. Each named plaintiff shall appear by substitute counsel or enter his or her appearance *pro se* on or before **July 22, 2022**.
2. Plaintiffs are hereby put on notice that failure to appear by counsel or enter an appearance *pro se* may result in dismissal of their claims for failure to prosecute pursuant to Rule 41 of the Federal Rules of Civil Procedure.
3. The Clerk of Court is directed to serve a copy of this Order on the Trustee for the Law Office of N. Ari Weisbrot LLC by U.S. Mail at the following address:

Beverly M. Barr  
Dickie, McCamey & Chilcote, P.C.  
445 Hamilton Avenue, Suite 1102  
White Plains, New York 10601

4. Trustee Beverly M. Barr is directed to serve copies of this Order on each of the named plaintiffs by overnight and regular mail within three days of the date of this Order and file proof of service on the docket. The Trustee shall also provide the Court with contact information for each of the named plaintiffs.

s/ Leda Dunn Wettre  
Hon. Leda Dunn Wettre  
United States Magistrate Judge